REMARKS

Claims 1–54 are pending in this application. In the December 14, 2004 Office Action, the Examiner rejected Claims 1–54 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,949,877 to Traw et al. ("Traw") in view of U.S. Patent No. 4,976,220 to Wolfe ("Wolfe").

By this present Response, Applicants have amended Claims 1, 2, 6, 10, 11, 15, 17, 19, 35, 37, 38, 42, 46, 47, 51 and 53. Claims 3–5, 7–9, 12–14, 16, 18, 20–34, 36, 39–41, 43–45, 48–50, 52 and 54 remain as originally filed. In view of the remarks set forth below, Applicants submit that Claims 1–54 are in condition for allowance.

Amendments to Claims 1, 2, 6, 10, 11, 15, 17, 19, 35, 37, 38, 42, 46, 47, 51 and 53

Applicants have amended Claims 1, 2, 6, 10, 11, 15, 17, 19, 35, 37, 38, 42, 46, 47, 51 and 53 for purposes of clarification. Applicants note that these claim amendments were not made for patentability purposes, and it is believed that the claims would satisfy the statutory requirements for patentability without the entry of such amendments.

Claim Rejections Under 35 U.S.C. § 103(a)

The Examiner rejected Claims 1–54 under 35 U.S.C. § 103(a) as being unpatentable over Traw in view of Wolfe. For at least the reasons set forth below, Applicants respectfully disagree with the rejections.

Independent Claim 1

Focusing on independent Claim 1, in one embodiment of Applicants' invention a process is disclosed for the delivery of server-based streamed applications to a client and the management of the streamed applications on a server. The process includes, among other things, persistently storing streamed application program sets containing read-only streamed application file pages.

The process further includes receiving client requests for streamed application file pages and storing commonly accessed streamed application file pages in a cache. The requested streamed application file page is retrieved from the cache if it is resident in the cache; otherwise, the requested streamed application file page is retrieved from

storage. The process also includes sending the requested streamed application file page to the client.

Neither Traw nor Wolfe, nor a combination thereof, teaches or suggests the process recited in Claim 1. In particular, neither Traw nor Wolfe discloses storing on a server streamed application program sets having streamed application file pages. Furthermore, neither Traw nor Wolfe discloses storing in a server cache commonly accessed streamed application file pages.

Rather, Traw is directed to a method for protecting digital content (e.g., audio, video or graphic elements) from being copied or other misuse. In particular, Traw discloses authenticating a content source and a content sink as compliant devices, establishing a secure control channel and a secure content between the source and the sink, providing content keys and transferring the content (see col. 1, lines 42–48).

Wolfe is directed to a method for preventing a computer program, or copies thereof, from being executed on unauthorized machines. Wolfe discloses installing an application program and a control program on a first computer, generating a configuration code for the first computer, and sending the configuration code to a central computer, which returns a permission code to the first computer to allow execution of the application program (see Figure 3; col. 8, line 13 through col. 9, line 12).

Neither Traw nor Wolfe appears to disclose storing on a <u>server</u> application file pages of <u>streamed application programs</u>. Furthermore, neither Traw nor Wolfe discloses storing in a <u>server cache</u> commonly accessed streamed application file pages.

The Examiner indicated on pages 5 and 6 of the Office Action that other passages and figures, which were not specifically cited in Traw and Wolfe, may also be applied as teaching the claimed invention. Although Applicants have considered the references in their entireties, Applicants have been unable to identify other passages or figures that teach each of the elements recited in Claim 1.

Because the references cited by the Examiner do not disclose, teach or suggest storing on a server application file pages of streamed application programs or storing in

a server cache commonly accessed streamed application file pages, Applicants assert that Claim 1 is patentably distinguished over the cited references. Applicants, therefore, respectfully request allowance of Claim 1.

Independent Claims 19 and 37

Independent Claims 19 and 37 are believed to be patentable for reasons similar to those set forth with respect to the patentability of independent Claim 1 and for the different aspects recited therein. Applicants, therefore, respectfully request allowance of independent Claims 19 and 37

Dependent Claims 2–18, 20–36 and 38–54

Claims 2–18 depend from independent Claim 1 and are believed to be patentable for the additional features recited therein.

Claims 20–36 depend from independent Claim 19 and are believed to be patentable for the additional features recited therein.

Claims 38–54 depend from independent Claim 37 and are believed to be patentable for the additional features recited therein.

Applicants, therefore, respectfully request allowance of dependent Claims 2–18, 20–36 and 38–54.

Conclusion

In view of the foregoing, the present application is believed to be in condition for allowance, and such allowance is respectfully requested. If further issues remain to be resolved, the Examiner is cordially invited to contact the undersigned such that any remaining issues may be promptly resolved.

Appl. No.   :   **10/005,729**
Filed   :   **November 6, 2001**

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: _____3/11/05_____   By: _____

John R. King
Registration No. 34,362
Attorney of Record
Customer No. 20,995
(949) 760-0404

1330375_1
030905

-16-